Post Office Department
WASHINGTON

NOV 5 - 1923

OFFICE OF THE SOLICITOR

ORDER No. 9809

It having been made to appear to the Postmaster General, upon evidence satisfactory to him, that the Oriental University, H. P. Holler, President, and their officers and agents as such,

In the Matter of Charges that the

ORIENTAL UNIVERSITY and
H. P. HOLLER, PRESIDENT,
at
1702 Oregon Avenue, N.W.,
Washington, D. C.,

are engaged in conducting a scheme for obtaining money through the mails by means of false and fraudulent pretenses, representations

MEMORANDUM for the Postmaster General, Recommending the issuance of a fraud order.

at Washington, D. C., and North Beach, Maryland, _____ are engaged in conducting a scheme or device for obtaining money through the mails by means of false and fraudulent pretenses, representations, and promises,

in violation of the act of Congress entitled "An act to amend certain sections of the Revised Statutes relating to lotteries, and for other purposes," approved September 19, 1890, said evidence being more fully described in the memorandum of the Solicitor for the Post Office Department of the date of November 5, , 1923, and by authority vested in the Postmaster General by said act, and by the act of Congress entitled "An act for the suppression of lottery traffic through international and interstate commerce and the postal service, subject to the jurisdiction and laws of the United States," approved March 2, 1895, the Postmaster General hereby forbids you to pay any Postal Money Order drawn to the order of said concern & party and you are hereby directed to inform the remitter of any such postal money order that payment thereof has been forbidden, and that the amount thereof will be returned upon the presentation of the original order or a duplicate thereof applied for and obtained under the regulations of the Department.

And you are hereby instructed to return all letters, whether registered or not, and other mail matter which shall arrive at your office directed to the said concern and party to the postmasters at the offices at which they were originally mailed, to be delivered to the senders thereof, with the words "Fraudulent: Mail to this address returned by order of Postmaster General" plainly written or stamped upon the outside of such letters or matter. Where there is nothing to indicate who are the senders of letters not registered or other matter, you are directed to send such letters and matter to the Division of Dead Letters with the words "Fraudulent: Mail to this address returned by order of Postmaster General" plainly written or stamped thereon, to be disposed of as other dead matter under the laws and regulations applicable thereto.

(Signed) HARRY S. NEW

Postmaster General.

To the Postmasters
Washington, D. C., and
North Beach, Maryland.
(No. 66556-E)

GOVERNMENT PRINTING OFFICE

284

CWH-GB

Post Office Department

OFFICE OF THE SOLICITOR

Washington

November 5, 1923.

In the Matter of Charges that the ORIENTAL UNIVERSITY and H. P. HOLLER, PRESIDENT, at 1702 Oregon Avenue, N.W., Washington, D. C., are engaged in conducting a scheme for obtaining money through the mails by means of false and fraudulent pretenses, representations and promises, in violation of Sections 3929 and 4041 of the Revised Statutes of the United States, as amended.	MEMORANDUM for the Postmaster General, Recommending the issuance of a fraud order.

On August 20, 1923, Helmuth P. Holler was furnished a copy of a memorandum of charges on file in this office, and called upon to show cause on September 25, 1923, why a fraud order should not be issued against the names set forth in the caption hereof. Delivery of the citation was effected through the postmasters at Washington, D. C. and North Beach, Maryland, the former postmaster having reported that first class mail for the above names was being forwarded to the latter post office.

On the date named Mr. Holler appeared here with his attorney, W. E. Leahy, Esq., of Washington, D. C., and the hearing was begun at 10:30 A.M. on that date and concluded about 11 P.M. on September 28, 1923.

Twenty-four witnesses were produced by the Government, nine of whom were persons whose names have been carried in the literature of the Oriental University as "Members of the Faculty," and eight were persons whose names were listed in the literature as students "exmatriculated."

Augustus P. Norton, whose name is carried in the present literature as one of the alleged 47 "resident professors in Washington, D. C.," was the only witness who testified on behalf of the respondent.

A number of affidavits and statements from alleged former students and alleged members of the faculty were introduced by the Government and by the respondent. Considerable documentary evidence was also introduced. The stenographic transcript of the testimony covers 272 typewritten pages and does not include the exhibits introduced.

I have carefully considered all of the evidence in this case, and I find the facts to be as follows:

The Oriental University was incorporated under the laws of the State of Virginia on March 11, 1908, with principal offices thereof located at Alexandria, Virginia. Helmuth P. Holler, Louise M. Holler and H. B. Caton were the incorporators. The third paragraph of the Articles of Incorporation reads as follows:

> Third: The purposes for which the corporation is formed are to conduct a non-sectarian, co-educational, and orientalistic education by residence and correspondence instructions, to undergraduate and graduate students who may be matriculated in any of the branches included in the curriculum of the University: to carry on the instructions and institute courses to lead to any of the bachelor, master, or doctor degrees in theology, philosophy, arts, sciences, pedagogy, literature, music, law, medicine and orientalistics; and to provide for examination which may be required by the Trustees to be passed before any degree shall be conferred. It being the principal purpose of the corporation to provide students with such instruction and education as would best fit them for the foreign service as missionaries, or otherwise, or for any profession at home. And generally to do, carry on, and transact all such other business, matters, and things as may be necessary or incident to the purposes of the said corporation, not inconsistent with the laws of the United States, or the laws of the State of Virginia, including printing, publishing, selling, or distributing the necessary text books, monographs, treatises, and such other literature as may be required by the students matriculated.

On June 14, 1912, the Articles of Incorporation were amended so as to designate the principal office of the corporation as "Dominion Heights, Cher-

rydale P.O., Virginia," instead of Alexandria, Virginia.

On October 27, 1904, the Eastern University was incorporated under the laws of the District of Columbia by C. Fecker, S. Rock, E. W. McCormick, E. M. Freeman, and B. E. T. Kretschmann. The business for which this corporation was formed was stated in the third paragraph of the Articles of Incorporation as follows:

> Third. The object for which it is formed is to build, construct, buy, lease or otherwise acquire, equip, maintain and conduct an institution or institutions with various departments of learning for the purpose of providing instruction in the various departments of the University, either by correspondence or personal attendance, as follows: College of Liberal Arts, courses leading to the degree B. A. Graduate School, courses leading to the degree M. A. and Ph. D. School of Applied Science; Civil Engineering, leading to the degree B. S. (C.E.) Electrical Engineering, leading to the degree B. S. (E.E.) Mechanical Engineering, leading to the degree B. S. (M.E.) Chemical Engineering, leading to the degree B. S. (C,E.E.) Medical School, course leading to the degree M. D. Law School, course leading to the degree L. L. B., L. M. and L. L D. School of Pharmacy, leading to the degree of Ph. G. Dental School, course leading to the degre, D. S. School of Theology, course leading to the degree D. D. School of Osteopathy and Osteotherapy, courses leading to the degree D. O. School of Scientific Medical Massage, course leading to the degree of D. M. School of Chiropractic, course leading to the degree D. C. School of Electro Therapeutics course leading to the degree M. E. and D. E. School of Chiropody, course leading to the degree D. P. School of Psychology, course leading to the degree D. Psychol. To maintain in connection with the foregoing and in furtherance thereof, clinics, despensaries and hospitals. To issue to those who have pursued such courses of instruction therein and duly completed the courses prescribed thereby or pass the prescribed examination, either, by correspondence or otherwise, the degrees of B. A., M.A., Ph. D., B. S., M. D., L. L. B., L. L. D., Ph. G., L. L. M. D. D. S., D. D., D. O., D. M., D. E., D. P., and D. Psychol. Also the granting of diplomas, setting forth the completion of such work as may entitle the persons completing the same to evidence thereof in the form of such diploma. Generally to purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property and any or all rights or privileges which the company may think necessary or convenient for the purposes hereinbefore set forth. To establish institutions of learning of the character-hereinbefore set forth. To have one or more offices and to carry on all or any part of its corporate business in any State, or Territory of the United States or in any Foreign Country or place, and to have and to exercise all the

powers conferred by the laws of the District of Columbia upon Corporations.

Under date of January 5, 1915, there was filed with the Recorder of Deeds of the District of Columbia a so-called "Resolution To Amend The Charter Of The Eastern University" which was signed by "H. P. Holler, President," and "A. W. Belmont, Secretary," which recited that:

> ***** From the date of filing this document with the Recorder of Deeds of the District of Columbia, the name of the Eastern University shall be changed to 'Oriental University,' which resolution was unanimously adopted by the Board of Trustees, consisting of Helmuth P. Holler, President and Corresponding Secretary, term perpetual; Arnauld W. Belmont, Recording Secretary, term expires third Monday in March, 1915; Thomas G. Lewis, Treasurer, term expires third Monday in March, 1918; Frank D. Syrich, term expires third Monday in March, 1919; Joseph M. Brown, term expires third Monday in March, 1916."

Under date of January 7, 1915, a document identical with that filed on January 5th, with the exception of the dates of the adoption of the resolution referred to therein and the seal of the Oriental University, was filed with the Recorder of Deeds for the District of Columbia.

The Deputy Recorder of Deeds for the District of Columbia testified that at the time of the filing of the first "resolution" above referred to, he called Mr. Holler's attention to the fact that the provisions of Section 602 of the District of Columbia Code were not complied with and Mr. Holler understood that he was filing the document "for what it was worth."

It may be stated, at the outset, that for the purpose of determining the question at issue in this case it will be taken for granted that the Oriental University has authority to issue degrees.

This case is decided upon the issue of whether or not this is a scheme for obtaining money through the mails by means of false and fraudulent pretenses, representations and promises as to the character and standing of the Oriental University as an institution of learning and its facilities for in-

structing students. All of the evidence has been carefully examined with a view to determining whether this concern is a bona fide institution of learning that does in fact furnish instruction to students in accordance with the representations contained in its literature sent through the mails.

The Oriental University is operated by Helmuth P. Holler, who describes himself in his literature as "Founder and President." The site of the institution has been moved from time to time since operations were begun in the District of Columbia early in 1915. The business is largely conducted from Holler's residence, which for the past several years has been located at 1702 Oregon Avenue, N.W., in the City of Washington. This residence building is pictured in some of the literature and described as the "main building of the Oriental University."

The evidence shows that the Oriental University operates exclusively through the mails, and representations in its literature to the effect that residence courses are offered by that institution are found to be for the purpose of inducing prospective "students" to believe that the concern is a bona fide educational institution.

In the biennial register of the Oriental University published in January, 1922, filed by the respondents in this case as the "Register" now being used, the following statement is found:

> Oriental University degrees can be obtained only by duly qualified students and candidates for conscientious and sufficient studies. They indicate real ability and merit, and they are equal in value to any of the degrees of the best universities in any country;

In the same pamphlet the following statements are found:

> Oriental University is an independent university for students of all classes and all nationalities. It is co-educational, interracial, non-sectarian and truly progressive.
>
> It claims to have the highest class of students, candidates and graduates and its professors are fully qualified.

* * *

Oriental University has helped more worthy and ambitious candidates to a real and lasting success than most other universities anywhere in the world, considering time of existence.

The so-called "Complete Register of Oriental University, January 1, 1920, of Officers, Professors, Graduates and Students, And Complete List Of Dissertations" was employed by the institution from early in 1920 to sometime in 1922. This document contains 66 pages and is paper bound.

On page 3 of this pamphlet under the title "Officers. Board of Trustees." the name of a prominent attorney in the City of Washington is listed as"Recording Secretary." This attorney testified that he never performed any duties as "Recording Secretary." His name is also carried as "Head" of the "Law Department" and as one of the "Professors" in that department. He testified that he never corrected any papers or performed any duties in those positions. In answer to a question as to "What constituted the Law Department of the Oriental University when you were there" he replied: "I don't know, sir." This witness was induced to sign a "contract" to become a member of the "faculty" of the Oriental University, but the only duties he was ever called upon to perform were to sign diplomas; for which he was paid. He severed his connection with the concern early in 1920, but the "Register" bearing his name was sent through the mails to prospective "students" for two years thereafter.

On the same page of the above mentioned pamphlet under the heading "Patrons" appear the names of "Prof. and Dr. Max Mueller, Chancellor" and "Dr. William T. Harris, Ex-Commissioner of Education of the United States." The evidence shows that thesegentlemen have been dead for a great many years. The current "Register" carries the names of these gentlemen under the title "Spirit Patrons," with no further explanation.

Under the title "Honorary Vice-President" in the 1920 "Complete Regis-

ter" there appear the names of some prominent persons in foreign countries, including "His Excellency Manuel Estrada Cabrera, President, Republic of Guatemala." The evidence shows that an "honorary degree" was conferred upon this gentleman in absentia, and that other "honorary degrees" were attempted to be conferred upon prominent persons in foreign lands. I find that these "degrees" were conferred" largely for advertising purposes.

Under the heading "The Faculty" in the "Complete Register," of 1920, there are listed the names of 44 "Resident Professors." A number of these alleged "professors" testified on behalf of the Government to the effect that they had no duties to perform, except that some of them signed diplomas. The respondent exhibited contracts signed by a number of these "professors," and "applications" signed by others, but made no showing that these persons were ever actively engaged in examining papers and instructing students.

This pamphlet also contains a list of 63 "non-resident professors." The evidence indicates that both of these lists were prepared principally for advertising purposes and that the alleged professors did not perform any duties as such, except in some instances to sign diplomas.

This "Complete Register" of 1920 contained the assignments of "Professors" from the above-mentioned lists, to the following "Departments:"

Classical College, A Dean and 13 Professors.

Commercial College, A Dean and 11 Professors.

Agricultural College, A Dean. Agricultural Department, a Head and 8 Professors; Veterinary Department, a Head and One Professor.

Engineering College, A Dean. Engineering Department, a Head and 7 Professors; Trades and Industry Department, a Head and 3 Professors; Civics Department, a Head and 2 Professors.

Psychic Science College, A Dean and 9 Professors.

Theological School, A Dean. Theological Department, a Head and 9 Professors; Religious Department, a Head and 6 Professors.

Theomonistic Seminary, A Dean. Theomonistic Department, a Head and 6 Professors; Foreign Missions Department, a Head and 2 Professors; Sociological Department, a Head and 3 Professors.

Philosophical School, A Dean. Philosophical Department, a Head and 7 Professors; Philological Department, A Head and 10 Professors; Pedagogical Department, a head and 2 Professors; Literature, Journalism and Drama Department, a Head and 8 Professors.

Arts School. A Dean. Arts Department, a Head and 5 Professors; Music Department, a Head and 2 Professors.

Law School, A Dean. Law Department, a Head and 7 Professors; International Law, Political Science and Diplomacy Department, a Head and 6 Professors; History Department, A Head and 2 Professors; Economics Department, A Head and 2 Professors.

Medical School, A Dean. Medical Department, A Head and 20 Professors; Mental Therapy, A Head and 4 Professors; Nursing and Dietetics Department, A Head and 2 Professors; Public Health Department, A Head and 4 Professors; Chemistry Department, A Head and 7 Professors. Pharmacy Department, A Head and 7 Professors. Odontological Department, A Head and 7 Professors.

Orientalistic Seminary, A Dean and 17 Professors.

The current so-called "Biennial Register" of 1922, an "uncorrected press proof" of which was offered in evidence by the respondent, contains a list of 47 "Resident Professors" and 90 "Non-Resident Professors," as composing the "faculty." The assignments of "professors" to "Departments" is not shown in the 1922 "Register."

Only one alleged member of the "faculty" testified for the respondent, namely Augustus P. Norton, whose name is carried in the current register with the words appended thereto "Law, Commercial Sciences." Mr. Norton testified that he has never graded any papers or performed any duties as a professor except to sign diplomas. With reference to the signing of diplomas Mr. Norton testified as follows:

A. I have since signed some diplomas, but I have never examined any papers.
Q. You have never examined any papers? And what kind of diplomas have you signed?

A. Why almost all kinds, in different capacities.
Q. You have signed all kinds of diplomas?
A. Yes, sir. I believe that I was appointed as a Dean of the Commercial School, --I understand comparatively few of the students came in there, --because I had had some business experience and education at least in connection with typewriting and bookkeeping and auditing to some extent. I did not include that in my statement.
Q. Did you sign any diplomas or certificates of students who had studied stenography and typewriting by correspondence?
A. Why, there were a few whose studies I was given to understand were along commercial lines, perhaps, economics, in a broad sense commercial, I had done some work at the American University, and somewhat specialized on economics, so I think perhaps in a few cases in assigning out the papers and signing them I was asked to sign on the line under which is printed the word "Dean," but in the majority of cases there were two or three blank lines, with no indication whatever as to what the person who signed was, and I recall writing,--and that I was asked to sign on those lines. The secretary or someone directed that matter.
Q. Did you know why you were signing them?
A. Why I signed them?
THE COURT. Yes, did you know at the time?
A. Why, as a professor, I suppose. My understanding was that, from the literature and so forth, many of the diplomas were given without much instruction in courses from this University but on certificates of work done elsewhere and so on, but they all were required to submit some sort of, --well, I am not sure about that, but I supposed they always were to submit some thesis. I supposed in all cases Dr. Holler or one of the professors had examined whatever they submitted and also examined whatever credentials as to study they had given, and Dr. Holler I think I have heard state in the faculty meetings and to me personally that he was responsible for those matters of qualifications.
MR. HASSELL
Q. So you had no knowledge of what studies the students had performed when you signed the diplomas, is that it?
A. No, sir.

Mr. Norton stated that the last "faculty meeting" that he attended was on Sunday, September 23, 1923, at which time about 30 diplomas were signed by those present. He stated that he signed some law diplomas as "Acting Dean of the Law School," that he had examined nothing submitted by the "students" whose diplomas he signed, but had accepted Mr. Holler's word as to the qualifications of the candidates. He stated that he was also "Dean" of the "Commercial School" but that he does not "Actually take any control over" that branch.

The evidence shows, and I so find, that the so-called "faculty" of this institution functions principally in inducing persons to become "Students" and remit the necessary fee. The "Resident" and "Non-resident" "Professors" have no duties as such, except that a few of them sign "diplomas." The various "departments" hereinbefore referred to do not in fact exist. The evidence shows that two or three years ago it was "proposed" to organize a "medical department." But this was not done. However, medical degrees are still being issued by this concern.

The "Complete Register" of 1920 carried long lists of students "Ex-Matriculated" under the headings of the various departments hereinbefore mentioned. The evidence shows that a number of the persons whose names are thus listed were never in fact students of the Oriental University. Some of them testified on behalf of the Government to the effect that at one time or another they had attended a lecture at the Oriental University building, which apparently had no connection whatever with that institution. Others attended spiritualistic seances and their names were obtained in that way. I find that the representation that these persons were "former students" is false and fraudulent, and that their names are listed solely for advertising purposes.

The evidence shows that the Oriental University has no facilities for personally instructing resident students. It has no facilities for instructing students in agriculture, engineering, medicine and dentistry by correspondence, except that it has contracts with certain alleged "professors" who may or may not be qualified to teach some of those subjects. These "professors" do not in fact instruct "students."

A great deal of the business of this concern has been done in foreign countries. Its activities abroad have been made the subject of diplomatic

protest to this Government by a number of representatives of foreign Governments. The evidence indicates that its degrees have no standing among recognized institutions of learning in foreign countries.

Holler's agent in France formerly advertised that:

> All diplomas issued are accompanied by official statements emanating from the Department of Justice and the State Department of the United States, duly authorized by the officials of the government and through the legalisation of the French Embassy at Washington acting in its official capacity.

The "official statements" referred to consisted in a statement signed by the Attorney General bearing the seal of the Department of Justice solely to the effect that the Notary Public, before whom was sworn the "certificate" of the Oriental University, was a duly constituted Notary Public in and for the District of Columbia. There was also attached a statement signed by the Secretary of State bearing the seal of the State Department to the effect that the statement of the Attorney General was made under the seal of the Department of Justice of the United States, and that such seal was entitled to full faith and credit. While no charge was made by the Departments of Justice or State for these documents, the evidence indicates that a substantial fee was charged foreign "students" therefor. Upon learning of the improper use being made of the authentications the Department of State discontinued furnishing them.

In a "Bulletin" issued by the Oriental University in November, 1921, Holler stated that:

> The attacks made upon the Oriental University in all the various countries during the last year prove conclusively that Oriental University is a world-renowned university, and that it is looked upon by some as practically representing American educational ideals.

In this pamphlet there were reprinted portions of two letters written by the United States Bureau of Education to persons making inquiries concerning

the Oriental University. The evidence shows that the portions of these letters reflecting upon the character and standing of the Oriental University were carefully omitted from Mr. Holler's reprint.

The evidence shows that after the Oriental University was known by Holler himself to have been dropped as a member of the Association of American Colleges he held out in his literature that his institution was a member of that association. It appears that the Oriental University upon a general invitation became a member of that association when it was organized, but that as soon as the true character of the institution was ascertained it was denied further membership.

In his current "Register" of 1922, Holler claims the honor of having "invented" the degrees of "Bachelor of Aeronautics, Bachelor of Psychic Science, Bachelor of Orientalistics," and "Bachelor of Psychochratic Therapy," and "their corresponding master and doctor degrees. He states that three of these degrees have "been adopted also by other universities or colleges." The degrees of "Dr. of Orientalistics" and "Bachelor of Aeronautics" were ridiculed in the report of the U. S. Commissioner of Education for the year ended June 30, 1911.

The annual report of the Oriental University filed with the Recorder of Deeds of the District of Columbia on January 6, 1923, stated that the receipts for the year 1922 were $17,254.34, and that there were 318 "New Students Enrolled during 1922."

The evidence in this case shows, and I so find, that this is a scheme for obtaining money through the mails by means of false and fraudulent pretenses, representations and promises.

I therefore recommend that a fraud order be issued against the Oriental

University and H. P. Holler, President, at Washington, D. C. and North Beach, Maryland.

W. J. Donnelly
Acting Solicitor.

North Beach
Maryland
Nov 8/23

P. O. Dept,
Office of the Solicitor
Dear Sir,
Instructions
of Nov 5 1923, Concerning
W. P. Hollen, officer + agents
noted, order # 9809 will be
followed.

Respt,
Verdar Boza Russell
P. M.

NORTH BEACH MD. NOV 18 1923 PM
SOLICIT RECEIVED NOV - 9 1923 POST OFFICE DEPT.

MAIL EARLY

STATION



United States Post Office

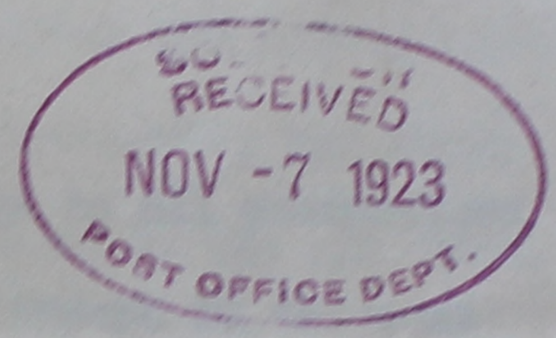
WASHINGTON, D. C.

FIRST CLASS

MAIL OFTEN

IN REPLY REFER TO

Washington Dc.
Nov. 7. 1923



H. J. Donnelly.
Acting Solicitor
P.O. Dept
City.

Sir

I have noted and will comply with order issued by P.M. Genl. regarding Mail matter for Oriental University. H. P. Heller, Pres.

Respectfully.

L. H. Hartsell
Pres

November 6, 1923.

Chief Clerk,
Post Office Department.

Attached hereto is a notice to all postmasters which I will be pleased to have you insert in the next monthly supplement to the Postal Guide and in the Daily Bulletin.

(Signed) Edgar M. Blessing

Solicitor.

Copy sent to Miss Sanger
for the Postal Guide.

Post Office Department.

OFFICE OF THE SOLICITOR

Washington

November 5, 1923.

Postmaster,
Washington, D. C.

My dear Sir:

I inclose herewith a copy of order No. 9809, , dated November 5, 1923, , forbidding the delivery of mail matter and the payment of money orders to the Oriental University, H. P. Holler, President, and their officers and agents as such, at Washington, D. C.,

the original of which, signed by the Postmaster General, has been retained in the files of this Department.

This order does not cover mail matter under the frank of a Senator or Representative or other officer entitled to the franking privilege, nor that which is covered by an official envelope. Nor does it apply to matter not under seal, such as newspapers, circulars, etc., unless specifically so stated in the order or by subsequent letter of instructions.

Please acknowledge receipt.

Respectfully yours,

(Signed) H. J. DONNELLY

Acting Solicitor.

Inclosure.

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